

THOMAS E. FRANKOVICH (State Bar No. 074414)
 THOMAS E. FRANKOVICH,
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Attorneys for Plaintiffs
 NICOLE MOSS
 and DISABILITY RIGHTS
 ENFORCEMENT, EDUCATION,
 SERVICES: HELPING YOU
 HELP OTHERS

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

NICOLE MOSS, an individual; and)	CASE NO. C 06-6356 SBA
DISABILITY RIGHTS, ENFORCEMENT,)	
EDUCATION, SERVICES: HELPING)	DECLARATION OF THOMAS E.
YOU HELP OTHERS, a California public)	FRANKOVICH IN OPPOSITION TO
benefit corporation,)	DEFENDANTS' REQUEST FOR
)	ATTORNEYS FEES
Plaintiffs,)	
)	
v.)	
)	
MANILA BAY CUISINE; LAND MARK)	
TOWNE CENTER, LLC., a Delaware)	
limited liability company; AGLOS, LLC., a)	
Delaware limited liability company;)	
DINKY, LLC., a Delaware limited liability)	
company; GF LIBERTY, LLC., a Delaware)	
limited liability company; CRIMSUN INC.,)	
a California corporation,)	
)	
Defendants.)	

I, THOMAS E. FRANKOVICH, declare that I am an attorney duly licensed to practice in
 all the courts in the state of California and if called as a witness and duly sworn, I would and
 could competently testify to the following based upon my own personal knowledge:

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1 That the request of defendants for attorneys fees in the sum of \$2,792.16 is high and
2 should be significantly reduced for the following reasons:

- 3 1. The attorneys "block billed." Nothing was broken down in 1/10 of an hour or 6
4 minute increments. There is only one entry for fifteen (15) minutes. Most entries
5 were for 2 ½ hours to 4.75 hours.
- 6 2. Our office bills on 1/10 of an hour and our total time to make the motion and
7 reply was 9.5 hours.
- 8 3. It's impossible to determine the tasks because almost everything is billed on
9 preparing Opposition to Defendants' Motion to Vacate. It's not broken down to
10 research, what was researched, cases relied upon, drafting, editing and finalizing.
- 11 4. The billing rate for attorneys with only two years of limited experience should be
12 \$175.
- 13 5. The Opposition as written was simple at best. There was nothing complex about
14 it yet Attorney Grannis spent 8.5 hours. Based upon a review of the Opposition,
15 Attorney Grannis' time should be reduced to 5 hours. Attorney Ehrhart spent
16 8.75 hours although he reduced his time to 3.75 hours. His time to read the
17 Opposition etc. should be reduced to 2 hours.

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1 THEREFORE, I submit the proper billable hours for the following attorneys should be:

2	Grannis	5 hrs.	@	\$175/hr	=	\$875.00
3	Ehrhart	2 hrs.	@	\$175/hr	=	\$350.00
4	Lowenthal	.5 hrs.	@	\$400/hr	=	<u>\$200.00</u>
5						\$1,425.00
6				(Plus Costs)		<u>\$75.00</u>
7				TOTAL:		\$1,500.00

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9 I declare under penalty of perjury that the foregoing is true and correct. Executed on this
10 20th day of February, 2008, at San Francisco, California.

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12 By: /s/
13 Thomas E. Frankovich
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